

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ELIZABETH L. HATOS

PLAINTIFF

vs.

Civil No. 4:15-cv-04071

CAROLYN W. COLVIN

DEFENDANT

Commissioner, Social Security Administration

REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before this Court is Defendant's Unopposed Motion to Reverse and Remand. ECF No. 13.

Plaintiff does not oppose this Motion. Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) (2005), the Honorable Susan O. Hickey referred this case to this Court for the purpose of making a report and recommendation. In accordance with that referral, this Court enters the following report and recommendation.

Defendant requests Plaintiff's case be remanded. ECF No. 13. Defendant requests this remand so the ALJ may conduct further administrative proceedings. *Id.* Specifically, Defendant seeks remand because the decision of Administrative Law Judge did not contain an adequate evaluation of Plaintiff's credibility, and the step-five finding was inadequately supported. *Id.*

Based upon the foregoing, this Court recommends Defendants Unopposed Motion to Reverse and Remand (ECF No. 13) be **GRANTED** and Plaintiff's case be remanded, pursuant to sentence four of 42 U.S.C. § 405(g), to the Social Security Administration for further administrative review.

On remand, this Court recommends the ALJ should update the record as necessary, reassess Plaintiff's Residual Functional Capacity, and obtain evidence from a vocation expert.

The parties have fourteen (14) days from receipt of this Report and Recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger *de novo* review by the district court. *See Thompson v. Nix*, 897 F.2d 356, 357 (8th Cir. 1990).

ENTERED this 26th day of April, 2016.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE